

U.S.A. vs FRANCISCO JAVIER GUZMAN-LOPEZ

No. 08CR1328-JAH

The Court finds excludable delay, under the section indicated by check ( ☒ ),  
 commenced on May 29, 2008 and ended on 8/25/08; ( )  
 and ended on \_\_\_\_\_ . ( )

- 3161(h)  
 \_\_\_ (1) (A) Exam or hrg for **mental or physical incapacity**  
 \_\_\_ (1) (B) **NARA examination** (28:2902)  
 \_\_\_ (1) (D) State or Federal trials or **other charges pending**  
 \_\_\_ (1) (E) **Interlocutory appeals**  
 \_\_\_ (1) (F) **Pretrial motions** (from flg to hrg or other prompt dispo)  
 \_\_\_ (1) (G) **Transfers from other district** (per FRCrP 20, 21 & 40)  
 \_\_\_ (1) (J) **Proceedings under advisement** not to exceed thirty days  
 \_\_\_ Misc proc: Parole or prob rev, deportation, **extradition**  
 \_\_\_ (1) (H) **Transportation** from another district or to/from examination  
 or hospitalization in ten days or less  
☒ (1) (I) Consideration by Court of **proposed plea agreement**  
 \_\_\_ (2) **Prosecution deferred** by mutual agreement  
 \_\_\_ (3) (A) (B) **Unavailability of defendant or essential witness**  
 \_\_\_ (4) Period of **mental or physical incompetence** of defendant to  
 stand trial  
 \_\_\_ (5) Period of **NARA commitment or treatment**  
 \_\_\_ (6) **Superseding indictment and/or new charges**  
 \_\_\_ (7) **Defendant awaiting trial of co-defendant** when no severance  
 has been granted  
 \_\_\_ (8) (A) (B) **Continuances** granted per (h) (8)-use "T" alone if more than  
 one of the reasons below are given in support of continuance  
 \_\_\_ (8) (B) (I) 1) Failure to grant a **continuance** in the proceeding  
 would result in a **miscarriage of justice** and  
 the ends of justice outweigh the best interest  
 of the public and the defendant in a speedy trial.  
 (Continuance - miscarriage of justice)  
☒ 2) Failure to grant a **continuance** of the trial would result in  
 a miscarriage of justice as the defendant has tendered a  
 guilty plea to a magistrate judge and is awaiting a  
 determination as to whether the plea will be accepted.  
 (Continuance - tendered a guilty plea)  
 \_\_\_ (8) (B) (ii) 2) **Case unusual or complex**  
 \_\_\_ (8) (B) (iii) 3) **Indictment** following arrest **cannot be filed** in thirty (30) days  
 \_\_\_ (8) (B) (iv) 4) **Continuance** granted in order to obtain or substitute counsel,  
 or give reasonable time to prepare  
 (Continuance re counsel)

\_\_\_ 3161(I) Time up to **withdrawal of guilty plea**

\_\_\_ 3161(b) **Grand jury indictment time extended** thirty (30) more days

Date 5/29/08

[Signature]  
 Judge's Initials

A  
B  
C  
D  
E  
F  
G  
H  
6  
7  
I  
M  
N  
O  
P  
R  
T  
T1  
T2  
T3  
T4  
U  
W